

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION

BRIAN AUSTIN  
ADC #167150

PLAINTIFF

v.

No. 5:19-cv-120-DPM

DARRELL GOLDEN, Warden,  
Delta Regional Unit, ADC; and  
LINDA DYKES, Deputy Warden,  
Delta Regional Unit, ADC

DEFENDANTS

ORDER

The Court adopts Magistrate Judge Ray's unopposed recommendation, No. 6. FED. R. CIV. P. 72(b) (1983 addition to advisory committee notes). Austin's complaint will be dismissed without prejudice for failure to state a claim. This dismissal counts as a "strike" for purposes of 28 U.S.C. § 1915(g). An *in forma pauperis* appeal from this Order and accompanying Judgment would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

12 November 2019